

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

M CORP DBA 11:59,)
Plaintiff,)
v.) Case No.: 1:24-cv-1823
INFINITIVE, INC., *et al.*)
Defendants.)

MOTION TO STAY PENDING SETTLEMENT CONFERENCE

Plaintiff M Corp d/b/a 11:59 and Defendants Infinitive, Inc. and Joseph Bradley Sheridan (“Moving Defendants”), jointly move to stay this matter in order to pursue mediation with the Magistrate Judge. In support of this motion, the parties state as follows:

1. On November 6, 2024, the Court entered a Temporary Restraining Order against the Infinitive and Mr. Sheridan and set a Preliminary Injunction hearing for December 12, 2024. (Dkt. 32.)

2. Subsequently, the parties successfully negotiated a Stipulated Preliminary Injunction, which the Court entered on December 10, 2024. (Dkt. 41.)

3. As part of their negotiations, Mr. Sheridan and Infinitive have agreed to provide certain devices and accounts to a neutral third party to perform a forensic examination and provide documents to Plaintiff.

4. Plaintiff believes it needs to fully review the reports and production from the neutral before it can engage in meaningful settlement discussions with Moving Defendants, which are anticipated to be completed in February 2025.

5. In light of the above, the parties have agreed to attend a settlement conference before Magistrate Judge Davis on February 27, 2025.

6. On December 20, 2024, Plaintiff filed a First Amended Complaint, which added three new defendants to the case, Databricks, Inc., William McKinney, and Cheryl Miles (“New Defendants”). The New Defendants have not yet been served with process or otherwise participated in the case.

7. No defendant has yet responded to the First Amended Complaint, and the Court has not yet issued a Rule 26 Scheduling Order or opened discovery.

8. The moving parties believe that it would be in the best interest of all to delay Infinitive and Sheridan’s response deadline and the opening of discovery until after the parties have had a chance to determine if mediation with the Magistrate Judge will be successful. Furthermore, a stay will conserve all parties’ resources and increase the chances of reaching a mutually acceptable resolution. The delay will also provide the New Defendants with the opportunity to explore whether they are open to participating in the scheduled mediation.

9. Consequently, the moving parties request that this matter be stayed until March 7, 2025, and that Moving Defendants’ duty to respond to the Complaint be extended until March 14, 2025.

Respectfully submitted,

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By: /s/ John M. Remy***

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*** Signed by Micah E. Ticatch with permission

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of January 2025, a true and accurate copy of the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants.

/s/ Micah E. Ticatch
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